

AMENDED IN ASSEMBLY APRIL 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2642

**Introduced by Assembly Members Eduardo Garcia, Eggman,
Cristina Garcia, Gomez, and Maienschein**
(Coauthors: Assembly Members Chang and Steinorth)
(Coauthor: Senator Wieckowski)

February 19, 2016

An act to add Chapter 6 (commencing with Section 14600) to Division 7 of the Unemployment Insurance Code, relating to workforce development, and making an appropriation therefor: *development.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2642, as amended, Eduardo Garcia. Removing Barriers to Employment ~~Act~~. *Act: Breaking Barriers to Employment Initiative.*

Existing law establishes the Labor and Workforce Development Agency and provides that the agency consists of, among other entities, the California Workforce Investment Board, the Employment Development Department, and the Employment Training Panel. The California Workforce Innovation and Opportunity Act establishes the California Workforce Development Board as the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce. That act requires the establishment of a local workforce development board in each local workforce development area of the state to, among other things, carry out analyses of the economic conditions in the local region.

This bill would enact the Removing Barriers to Employment Act, which would ~~require the California Workforce Investment Board to work with the Employment Development Department~~ *establish the Breaking Barriers to Employment Initiative within the Labor and Workforce Development Agency. The bill would require the initiative to be led by the Secretary of Labor and Workforce Development and authorizes the secretary to assign all or part of the administration of the initiative to one or more entities within the agency's oversight. The bill would specify that the purpose of the initiative is to create a grant program to provide funds to local workforce investment boards and community-based organizations working in partnership on proposals that will address the needs of persons assist individuals who have multiple barriers to employment, employment to prepare them for receive the remedial education and work readiness skills that will help those individuals to successfully participate in training, apprenticeship, or employment opportunities that will lead to self-sufficiency and economic stability. The bill would additionally appropriate an unspecified amount from an unspecified fund to the California Workforce Investment Board for administration of the grant program.* The bill would require the secretary to develop criteria for the selection of grant recipients, as specified, and would require the secretary, by January 1, 2018, to post a report on the agency's Internet Web site that aggregates information provided by grant recipients. The bill would authorize the secretary, when implementing the initiative, to fund a project that uses a model that was previously funded as a pilot project under certain programs if specified criteria are met. The bill would make the funding of the initiative subject to an appropriation by the Legislature for that purpose and would make implementation of the initiative contingent on the secretary notifying the Department of Finance that sufficient moneys have been appropriated.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Chapter 6 (commencing with Section 14600) is
- 2 added to Division 7 of the Unemployment Insurance Code, to read:

CHAPTER 6. REMOVING BARRIERS TO EMPLOYMENT ACT

14600. The Legislature finds and declares all of the following:

(a) The economy in California continues to improve as shown by lower unemployment rates and job growth, but poverty is still an issue in many of our cities and among many of our citizens. The California Poverty Measure reported in 2015 that 78 percent of Californians in poverty live in families with at least one adult working, with 69 percent of those working full time. Low-income families continue to struggle to pay for the basic cost of supporting their families. With low wages and lack of job skills, this target population falls further behind and cannot escape poverty.

(b) Lack of formal education, low English ~~literacy~~ literacy, and lower-level job skills prevent upward mobility in pay and job stability. There is a need for improved access and funding to provide “career pathways” services, particularly for the poor.

(c) Increased funding for ~~supportive services such as child care, transportation,~~ English language improvement training, adult education, high school diploma and GED acquisition, skills training, work experience, on-the-job training, earn-as-you-learn, industry certifications, mentoring, ~~case management~~ management, and more is needed to bridge the gap to gainful employment for the more difficult to reach in our population.

(d) Local community-based organizations, ~~government agencies~~ agencies, and workforce investment boards throughout California struggle to provide adequate services to the increasing number of poor residents who need career pathways services. In particular, funding is needed for case management, career guidance, and ~~support~~ other services that enhance training/job retention and the ability to meet family basic expense needs while pursuing a career opportunity.

(e) Special emphasis is needed to make sure that programs reach those among us with the most difficult needs with the goal of preparing those persons for training, educational, apprenticeship or employment opportunities.

14600.5. As used in this chapter, “Breaking Barriers to Employment Initiative” or “initiative” means the Breaking Barriers to Employment Initiative established in this chapter.

14601. (a) ~~The California Workforce Investment Board shall work with the Employment Development Department to create a~~

~~grant program to~~ This chapter establishes the Breaking Barriers to Employment Initiative within the agency. The initiative shall be led by the Secretary of Labor and Workforce Development, that may assign all or part of the administration of the initiative to one or more entities within the agency's oversight.

(b) The purpose of the initiative is to provide funds to ~~local~~ workforce investment boards and community-based organizations ~~working in partnership on~~ that submit joint proposals that ~~will address the needs of persons~~ assist individuals who have multiple barriers to employment ~~to prepare them for training, apprenticeship to receive the remedial education and work readiness skills that will help them to successfully participate in training, apprenticeship, or employment opportunities that will lead to self-sufficiency and economic stability.~~

(c) In developing the initiative, the Secretary of Labor and Workforce Development or his or her delegate shall consult with public and private stakeholders, including nonprofit community-based organizations, workforce development boards, local governments, and other entities that serve individuals who face barriers to employment.

(d) Funding for the initiative shall be subject to appropriation by the Legislature for that purpose. Implementation of the initiative is contingent upon the Secretary of Labor and Workforce Development notifying the Department of Finance that sufficient moneys have been appropriated and deposited in the Consolidated Work Program Fund.

(e) The outcomes of the initiative shall be reported pursuant to Section 14601.2.

14601.2. The Secretary of Labor and Workforce Development shall develop criteria for the selection of grant recipients that meet all of the following:

(a) Outreach and technical assistance shall be provided to prospective applicants, especially in rural and small population areas.

(b) Grants shall be awarded on a competitive basis. The program shall include provisions to ensure a range of targeted populations and geographic locations receive training opportunities.

(c) Each application shall include at least one workforce investment board and one community-based organization. An

1 application that serves clients across one or more workforce
2 investment areas shall include a letter of acknowledgment from
3 each workforce board within the proposed service area, but need
4 not include a specific role for all of the workforce investment
5 boards in that area. However, all applications shall have at least
6 one workforce board and one community-based organization
7 working in partnership.

8 (d) Applicants shall apply for funds to serve one or more
9 targeted populations in one or more neighborhoods, local
10 jurisdictions, regions, or statewide. Each application shall include
11 how programs are designed to complement the work of, and
12 integrate the individuals being served with, the workforce
13 development boards within the proposed service area.

14 ~~(b)~~
15 (e) The grant program proposal shall require grant proposals to
16 meet the following:

17 ~~(1) Grant proposals shall demonstrate how the grant recipient~~
18 ~~will address the needs of one or more of the following populations:~~

19 ~~(A)~~

20 (1) Youths who are disconnected from the education system or
21 employment.

22 ~~(B)~~

23 (2) Women seeking training or education to move into
24 nontraditional fields of employment.

25 ~~(C)~~

26 (3) Workers displaced by the movement of an employer or those
27 who are long-term unemployed.

28 ~~(D)~~

29 (4) Unskilled or under-skilled, low-earning workers looking to
30 advance into better-paying employment opportunities.

31 ~~(E)~~

32 (5) Persons for whom English is not their primary language.

33 ~~(F)~~

34 (6) Economically disadvantaged persons who face barriers to
35 reaching training or apprenticeship opportunities for sustainable
36 careers.

37 ~~(G)~~

38 (7) CalWORKS participants.

39 ~~(H)~~

(8) Persons who are incarcerated and soon to be released or formerly incarcerated.

(H)

(9) Armed services veterans who face barriers due to skills that are not applicable to employment, training, apprenticeship opportunities in the region in which they live, or because of mental health, health, or other barriers that serve as impediments to those opportunities.

(J)

(10) Native Americans or migrant, seasonal farmworkers.

(K)

(11) People with developmental or other disabilities.

(f) The grant proposal shall explain the specific purpose of the grant funds and define the general methodology and training methods proposed to be used.

~~(2) Grant proposals~~

~~(g) (1) The proposal shall include a method to measure success of any program funded by the grant. Measurements identify baseline criteria and metrics by which the overall success of the grant program can be evaluated. The proposal shall also explain the manner in which the progress of the individuals participating in the program will be monitored during the grant period.~~

~~(2) One component of the grant proposal shall provide for a preservice education and training assessment, which shall form the baseline for measuring program performance. A prior assessment may be used if, in the determination of the Secretary of Labor and Workforce Development, its results are accurate and appropriate for the proposed program.~~

~~(3) Measurements of success shall be based on the targeted population and the baseline measurements set through the individual client assessment. These metrics may include, but are not limited to:~~

~~(A) The number of participants in the program who have completed a high school diploma or received a GED.~~

~~(B) The number of participants in the program who have completed a remedial education program.~~

~~(C) The number of participants in the program who have completed a work readiness program.~~

~~(D) The number of participants who have received assistance to enroll their children in after school programs while the program~~

1 participant ~~enroll~~ *enrolls* in secondary or postsecondary education
2 or maintains employment.

3 ~~(E) The number of participants who have obtained access to~~
4 ~~reliable transportation or received a driver's license since~~
5 ~~enrollment in the program.~~

6 ~~(F)~~

7 ~~(E)~~ The number of participants who have completed a certified
8 drug treatment or mental health program.

9 ~~(G) The number of participants who have obtained and~~
10 ~~maintained safe housing.~~

11 ~~(H)~~

12 ~~(F)~~ The number of participants who have ~~completed~~
13 ~~matriculated to a pre-apprenticeship~~ *preapprenticeship* or
14 *apprenticeship* program.

15 ~~(e) The amount of _____ is appropriated from the _____ fund to~~
16 ~~the California Workforce Investment Board to carry out this~~
17 ~~section.~~

18 *(h) (1) Key features of the grant shall be provided in a*
19 *memorandum of understanding between the applicants and the*
20 *agency, including, but not limited to, the purpose of the grant,*
21 *expected outcomes, the oversight and monitoring process, and*
22 *reporting requirements.*

23 *(2) As a condition of receiving funds, a grant recipient shall*
24 *agree to provide information to the Secretary of Labor and*
25 *Workforce Development that is determined by the secretary as*
26 *necessary to meet all reporting requirements.*

27 *(i) On at least an annual basis and upon completion of the grant*
28 *period, grant recipients shall report to the Secretary of Labor and*
29 *Workforce Development information regarding their use of funds,*
30 *workforce training outcomes, and any other information required*
31 *by the secretary.*

32 *(j) By January 1, 2018, the Secretary of Labor and Workforce*
33 *Development shall post a report on the agency's Internet Web site*
34 *that aggregates the information provided by the grant recipients,*
35 *including, but not limited to, the overall success of the grant*
36 *programs.*

37 *14601.3. In implementing the initiative, the Secretary of Labor*
38 *and Workforce Development may fund a project that uses a model*
39 *that was previously funded as a pilot project through the Workforce*
40 *Accelerator, the Supervised Population Workforce Training*

1 *Program, SlingShot, or other existing programs, to the extent that*
2 *the goals, measures, and metrics are sufficiently aligned, so as to:*
3 *(a) Serve the same client base.*
4 *(b) Address the needs of individuals who face multiple barriers*
5 *to employment to receive remedial education and work readiness*
6 *skills.*
7 *(c) Have an end goal of preparing those individuals for further*
8 *training that results in apprenticeship or middle-skill employment*
9 *opportunities. Eligible applicants for programs under this section*
10 *shall exclusively be joint applications from one or more workforce*
11 *investment boards and one or more community-based*
12 *organizations.*

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